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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RIGHTHAVEN LLC, a Nevada limited-liability  
company,

Plaintiff,

v.

MR NEWS BREAKER, an entity of unknown  
origin and nature; and IAN HOWELLS, an  
individual,

Defendants.

Case No.: 2:10-cv-01735

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

Righthaven LLC (“Righthaven”) complains as follows against Mr News Breaker (“Mr News Breaker”) and Ian Howells (“Mr. Howells”; collectively with Mr News Breaker known herein as the “Defendants”), on information and belief:

**NATURE OF ACTION**

1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.

**PARTIES**

2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-liability company with its principal place of business in Nevada.

3. Righthaven is, and has been at all times relevant to this lawsuit, in good standing with the Nevada Secretary of State.

4. Mr News Breaker is, and has been at all times relevant to this lawsuit, an entity of unknown origin and nature.

5. Attempts to find evidence of formal organizational status in the respective Secretary of State offices of Delaware, California, Illinois, New York, Pennsylvania, Texas, Tennessee, and Nevada demonstrate that, at least with respect to these states Mr News Breaker is not a formally organized business entity.

6. Mr. Howells is, and has been at all times relevant to this lawsuit, identified by the current registrar, GoDaddy.com, Inc. ("GoDaddy"), as the registrant, administrative contact, and technical contact for the Internet domain found at <mrnewsbreaker.com> (the "Domain").

7. Mr News Breaker is, and has been at all times relevant to this lawsuit, the self-proclaimed owner of the copyright(s) in the work(s) posted as part of the content accessible through the Domain (said content accessible through the Domain and the Domain itself known herein as the "Website"), as evidenced by a copyright notice displayed on the Website: "Copyright © Mr News Breaker".

**JURISDICTION**

8. This Court has original subject matter jurisdiction over this copyright infringement action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

9. Righthaven is the owner of the copyright in the literary work entitled: "Las Vegas returns to PBS pledge-drive spotlight" (the "Work"), attached hereto as Exhibit 1.

10. At all times relevant to this lawsuit, the Work has depicted and depicts the original source publication as the Las Vegas *Review-Journal*.



22. On October 6, 2010, the United State Copyright Office (the “USCO”) received Righthaven’s official submittal for the registration of the Work including the application, the deposit copy, and the registration fee (the “Complete Application”), Service Request No. 1-498243708, attached hereto as Exhibit 3.

23. On or about August 7, 2010, the Defendants displayed, and continue to display, the Infringement on the Website.

24. The Defendants did not seek permission, in any manner, to reproduce, display, or otherwise exploit the Work.

25. The Defendants were not granted permission, in any manner, to reproduce, display, or otherwise exploit the Work.

**CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 25 above.

27. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17 U.S.C. § 106(1).

28. Righthaven holds the exclusive right to prepare derivative works based upon the Work, pursuant to 17 U.S.C. § 106(2).

29. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to 17 U.S.C. § 106(3).

30. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17 U.S.C. § 106(5).

31. The Defendants reproduced the Work in derogation of Righthaven’s exclusive rights under 17 U.S.C. § 106(1).

32. The Defendants created an unauthorized derivative of the Work in derogation of Righthaven’s exclusive rights under 17 U.S.C. § 106(2).



1           a.       All evidence and documentation relating in any way to the Defendants'  
2       use of the Work, in any form, including, without limitation, all such evidence and  
3       documentation relating to the Website;

4           b.       All evidence and documentation relating to the names and addresses  
5       (whether electronic mail addresses or otherwise) of any person with whom the  
6       Defendants have communicated regarding the Defendants' use of the Work; and

7           c.       All financial evidence and documentation relating to the Defendants' use  
8       of the Work;

9       3.       Direct GoDaddy, the current registrar, and any successor domain name registrar  
10      for the Domain to lock the Domain and transfer control of the Domain to Righthaven;

11      4.       Award Righthaven statutory damages for the willful infringement of the Work,  
12      pursuant to 17 U.S.C. § 504(c);

13      5.       Award Righthaven costs, disbursements, and attorneys' fees incurred by  
14      Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

15      6.       Award Righthaven pre- and post-judgment interest in accordance with applicable  
16      law; and

17      7.       Grant Righthaven such other relief as this Court deems appropriate.

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19                                   **DEMAND FOR JURY TRIAL**

20      Righthaven requests a trial by jury pursuant to Fed. R. Civ. P. 38.

21      Dated this sixth day of October, 2010.

22                                   RIGHTHAVEN LLC

23  
24                                   By: /s/ Joseph C. Chu  
25                                   J. CHARLES COONS, ESQ.  
26                                   Nevada Bar No. 10553  
27                                   JOSEPH C. CHU, ESQ.  
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